

January 14, 2004

The Honorable Carl R. Johnson, Chairman
Environment Committee
Room 104, Legislative Office Building
Concord, NH 03301

Re: SB 501, establishing a committee to study a certain parcel of land along the Baker River

Dear Chairman Johnson:

Thank you for the opportunity to comment on SB 501, which would establish a committee to study the choices of use and ownership of a parcel of land that is currently owned by the Department of Environmental Services (DES) along the Baker River in Wentworth.

This parcel of land was the subject of a previous study committee that was formed pursuant to Chapter 233:1, Laws of 2003, to study the use of the property. DES appreciates the opportunity it had to work with the study committee last year in developing its recommendations. During the meetings of the study committee last summer and fall, DES testified that the parcel was acquired by the State of New Hampshire to enable the federal government to construct a flood control dam on the property. In the late 1970s the federal government deauthorized the project after determining that the project would cause unacceptable environmental impacts and that the costs of the project outweighed its benefits. DES testified that, for these reasons, it is unlikely that a dam would ever be built on this site in the foreseeable future.

The study committee recommended that a dam no longer be considered as a use for the site, but the parcel should substantially continue in use as a recreation and timber management area. The committee also recommended that the Town of Wentworth work with DES if the Town is interested in acquiring the property, and that DES determine its own priority of ownership of the parcel versus the New Hampshire Fish and Game Department (NHFG) and the Department of Resources and Economic Development.

Since the publication of the committee's final report, DES has been working informally with these agencies to implement the committee's recommendations. DRED has assessed the recreational and timber value of the property, and is interested in acquiring the property and managing it as a multi-use state forest through its Division of Forest and Lands. Since the property is surplus to the needs of DES, DES has no objection to transferring this property to DRED. This can be done through a Memorandum of Agreement between the two agencies with the approval of the Governor and Executive Council. However, if the Town of Wentworth is interested in acquiring the property, the acquisition would be subject to the provisions of RSA

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4:40, and would have to be reviewed and approved by the Council on Resources and Development (CORD), the Legislative Long Range Capital Planning and Utilization Committee, the Department of Justice, and the Governor and Executive Council.

If the bill is enacted and a study committee is established, DES will look forward to working with the committee to examine use and ownership options for the property.

Thank you again for this opportunity to comment. Please do not hesitate to call either me at 271-3503 or Jim Gallagher at 271-1961 if you have any questions or need additional information.

Very truly yours,

Michael P. Nolin
Commissioner

cc: Representative Eric G. Stohl
Representative Robert R. Barker
Representative John R. M. Alger